Remarks

The applicants have carefully considered the Office action dated June 14, 2006. In the Office action, all of the claims were rejected as anticipated by Poisner et al. (US Pub. No. 2002/0199093), or as unpatentable over Poisner in view of the Background Section of the current application or Meyer (US Pub. No. 2002/0099909). In view of the following remarks, reconsideration of the application is respectfully requested.

Rejections under 35 USC § 102

Independent claim 1 recites a method comprising, *inter alia*, copying content from a temporary memory location to a main memory location, calculating a migration factor between a temporary memory location and a main memory location, and modifying a value in the main memory that identifies the temporary memory location to identify the main memory location.

Posiner is directed to a method and system for using internal FIFO RAM to improve system boot times. The cited portions of Poisner do not describe or suggest all of the limitations recited in claim 1. First, the cited portions of Poisner do not describe or suggest copying content from a temporary memory location to a main memory location. The Office action contends that the CPU cache memory of Poisner is the claimed temporary memory and the RAM and main memory of Poisner are the claimed main memory. Even if these elements are correspond, a point which the applicants do not concede, the cited portions of Posiner do not describe or suggest copying content from the CPU cache memory to the RAM and/or main memory. Rather, the cited portion of Poisner states that the CPU's stack pointer is re-programmed to point to main memory. Replacing the address of the CPU's stack pointer with the address of the main memory does not suggest copying content from a temporary memory location to a main memory location.

Second, the cited portions of Poisner do not describe or suggest calculating a migration factor between a temporary memory location and a main memory location. Again, even if the elements of Poisner corresponded to the claimed components, a point which the applicants do not concede, the cited portions of Poisner do not describe or suggest calculating a migration factor between the CPU cache memory and the RAM and/or main memory. Rather, the cited portions of Poisner state that the CPU's stack pointer, which the Office action asserts is embedded in the CPU, is re-programmed to point to the main memory from the RAM. Therefore, even if re-programming a stack pointer corresponds to calculating a migration factor, a point which the applicants do not concede, the cited portions of Poisner do not describe or suggest re-programming the stack pointer to point from the CPU cache memory to the RAM and/or main memory.

Third, the cited portions of Poisner do not describe or suggest modifying a value in the main memory that identifies the temporary memory location to identify the main memory location. Again, even if the elements of Poisner correspond to the claimed components, a point which the applicants do not concede, the cited portions of Poisner does not describe or suggest modifying a value in the RAM and/or main memory that identifies the CPU cache memory location to identify the RAM and/or main memory. Rather, the CPU's stack pointer, which the Office action asserts is embedded in the CPU, is re-programmed to point to the main memory from the RAM.

Accordingly, for at least each of the forgoing reasons, claim 1 and all claims depending therefrom are in condition for allowance.

Likewise, independent claims 16 and 31 recite an article of manufacture and a system, respectively, that copy content from a temporary memory location to a main memory location, calculate a migration factor between a temporary memory location and a main

memory location, and modify a value in the main memory that identifies the temporary

memory location to identify the main memory location. For at least the forgoing reasons,

Poisner cannot anticipate claims 16, 31, or any claims depending therefrom.

Rejections under 35 USC § 103

The rejections under 35 USC § 103 are based on combinations of Posiner, the

Background Section of the current application, and Meyer. As stated above, Poisner does not

describe or suggest copying content from a temporary memory location to a main memory

location, calculating a migration factor between a temporary memory location and a main

memory location, and modifying a value in the main memory that identifies the temporary

memory location to identify the main memory location. In addition, neither of the

Background Section of the current application nor Meyer describes or suggests copying

content from a temporary memory location to a main memory location, calculating a

migration factor between a temporary memory location and a main memory location, and

modifying a value in the main memory that identifies the temporary memory location to

identify the main memory location; nor does the Office action assert that they do.

Accordingly, no combination of Posiner, the Background Section of the current application,

and Meyer can describe or suggest suggests calculating a migration factor between a

temporary memory location and a main memory location. Accordingly, the applicant

respectfully requests that the rejections under 35 USC § 103 be withdrawn.

Conclusion

Reconsideration of the application and allowance thereof are respectfully requested.

If there is any matter that the examiner would like to discuss, the examiner is invited to

contact the undersigned representative at the telephone number set forth below.

Respectfully submitted,

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Dated: **September 14, 2006**

/Michael W. Zimmerman/

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